

Message Text

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PAGE 01 STATE 052900
ORIGIN EB-08

INFO OCT-01 EUR-12 EA-10 IO-13 ISO-00 TRSE-00 STR-07
L-03 AGRE-00 CEA-01 CIAE-00 COME-00 DODE-00
FRB-03 H-01 INR-10 INT-05 LAB-04 NSAE-00 NSC-05
PA-01 CTME-00 AID-05 SS-15 ITC-01 USIA-06 SP-02
SOE-02 OMB-01 DOE-11 /127 R

DRAFTED BY EB/OT/STA:CHBLUM:JH
APPROVED BY EB/OT/STA:TO'HERRON
TREAS:CPARLIN
STR:NADAMS (INFO)
EA/J:DBROWN
L/EB:SBENSON(INFO

-----081697 020025Z /70

P R 012305Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO PRIORITY
INFO USMISSION GENEVA
AMEMBASSY PARIS

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US MISSION ALSO FOR USMTN, USOECD

E.O. 11652: N/A

TAGS: ETRD, JA

SUBJECT: COUNTERVAILING DUTY INVESTIGATION -- CERTAIN
ELECTRICAL SOUND EQUIPMENT AND ELECTRONIC MUSICAL
INSTRUMENTS FROM JAPAN

1. TREASURY WILL PUBLISH IN THE FEDERAL REGISTER OF
MARCH 3 NOTICE OF ITS SIMULTANEOUS INITIATION OF COUNTER-
VAILING DUTY INVESTIGATION AND PRELIMINARY DETERMINATION
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PAGE 02 STATE 052900

THAT BOUNTIES OR GRANTS ARE NOT RPT NOT BEING GIVEN ON
EXPORTS OF CERTAIN ELECTRICAL SOUND EQUIPMENT AND ELECTRONIC
MUSICAL INSTRUMENTS FROM JAPAN. A FINAL DETERMINATION
WILL BE MADE BY AUGUST 24, 1978, TWELVE MONTHS AFTER
RECEIPT OF PETITION.

2. THE ONLY PROGRAM ALLEGED BY PETITIONER TO BE

COUNTERAVAILABLE IS FORGIVENESS OF JAPANESE COMMODITY TAX
UPON XPORT OF SUBJECT MERCHANDISE. TREASURY CONSISTENTLY
HAS HELD THAT THE NON-EXCESSIVE REBATE OF SUCH INDIRECT
TAXES, DIRECTLY RELATED TO AN EXPORTED PRODUCT, DOES NOT
CONSTITUTE A BOUNTY OR GRANT. THE PROPRIETY OF THIS
POSITION IS CURRENTLY BEFORE THE SUPREME COURT IN THE
ZENITH CASE. FYI ONLY. ISSUANCE OF A PRELIMINARY
NEGATIVE DETERMINATION RATHER THAN REJECTION

OF THE PETITION AFFIRMS TREASURY PRECEDENT WHILE MAIN-
TAINING THE ABILITY TO RESPOND TO ANY SUPREME COURT
DECISION, WHICH IS NOW EXPECTED BY THE END OF JUNE.
THERE WILL BE A LIMITED INVESTIGATION TO ASSURE THAT
THIS CASE INVOLVES NO UNIQUE CIRCUMSTANCES. END FYI.

3. THE JAPANESE EMBASSY IS BEING INFORMED MARCH 1.
PRESS RELEASE WILL BE ISSUED BY TREASURY MARCH 2.
EXCEPT AS INDICATED, ABOVE FOR EMBASSY USE IN RESPONDING
TO INQUIRIES ON/AFTER MARCH 2.

4. COPY OF FEDERAL REGISTER NOTICE FOLLOWS BY AIRGRAM.
DECONTROL AFTER MARCH 2, 1979. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ELECTRONIC EQUIPMENT, COUNTERVAILING DUTIES
Control Number: n/a
Copy: SINGLE
Draft Date: 01 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE052900
Document Source: CORE
Document Unique ID: 00
Drafter: CHBLUM:JH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780094-0763
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197803118/aaaadwfc.tel
Line Count: 84
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 3af93dba-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3149789
Secure: OPEN
Status: NATIVE
Subject: COUNTERVAILING DUTY INVESTIGATION -- CERTAIN ELECTRICAL SOUND EQUIPMENT AND ELECTRONIC MUSICAL INSTRUMENTS FROM JAPAN
TAGS: ETRD, JA
To: TOKYO
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/3af93dba-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
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